

## REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments to the claims and the remarks made herein.

Claims 6-14 are pending and stand rejected. Claims 1-5, 8, 10 and 12 have been canceled. Claims 6, 9, 11 and 14 have been amended.

1. Claims 6-9, 11, 13 and 14 stand rejected under 35 USC §112, first paragraph for claiming subject matter allegedly not disclosed in the written description.

With regard to the maintenance of the rejection of the claims under 35 USC §112, first paragraph, applicant has reviewed the specification and the subject matter of claim 6 and found an inconsistency between the two. Applicant believes that this is the reason for the rejection of the claims.

In view of the belief that this inconsistency between the specification and the subject matter of claim 6 is the reason for the rejection of the claims, applicant has elected to amend claim 6 to place claim 6 in a form consistent with the description of the invention originally filed.

For the amendments made to the claims and the remarks above, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

2. The Advisory Action failed to address applicant's remarks made in the response to the rejection under 35 USC §103(a) and, hence, these remarks are repeated herein.

Claims 4 and 5 stand rejected under 35 USC §103(a) as being unpatentable over Lang (USP no. 5,835,602) in view of admitted prior art (APA) and Amaral (USP no. 6,088,360) with reference to Weik (Fiber Optics Standard Dictionary) (the combination referred to as RAA5).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, applicant has elected to cancel claims 4, 5, 10 and 12.

For the cancellation of the claims and the remarks above, applicant submits that

the reason for the rejection is no longer relevant and respectfully requests that the rejection be withdrawn.

3. Claims 6 and 7 stand rejected under 35 USC §103(a) as being unpatentable over Lang (USP no. 5,835,602) in view of admitted prior art (APA) and Jahromi (USP no. 5,416,768) and Frenzel (Programmable Framer Chip Improves OC-48 Efficiency) with reference to Weik (Fiber Optics Standard Dictionary) and Newton (Newton's Telecom Dictionary) (the combination referred to as RAA6).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, claim 6 has been amended to further recite the subject matter of claim 8 and further recite that storage areas are represented by an address dependent upon the MPTS data to be stored. No new matter has been added. Support for the amendment may be found at least on page 10, line 20-page 11, line 21.

Perry discloses two buffers; the first including information regarding logical links and the second including an entry for each of a plurality of ports. The first memory includes a pointer that points to a section in the second data structure. Each section identifies a port as an intended source of signals and there is one section for each port.

However, the buffers of Perry are fixed and not defined by an address within the memory dependent upon the MPTS data and the further outputting of the MPTS data by accessing the address of the memory by a corresponding subscriber.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

The combination of Lang, APA and Perry fails to render obvious the invention recited in claim 6 because the combination fails to include a material element recited in the claim.

For at least this reason, applicant submits that the rejection of claim 6 has been

overcome and respectfully requests that the rejection be withdrawn.

With regard to claim 7 this claim depends from claim 6 and, hence, is allowable by virtue of its dependency upon an allowable base claim.

For at least this reason, applicant respectfully requests that the rejection be withdrawn.

4. Claims 8, 9 and 14 stand rejected under 35 USC § 103(a) as being unpatentable over RAA5 and further in view of Petty (US 4,965,796);

With regard to claim 8, this claim has been cancelled and, hence, the rejection of this claim is no longer relevant.

With regard to claims 9 and 14, these claims have been amended to depend from claim 6 and hence, are allowable by virtue of their dependency upon an allowable base claim.

For at least this reason, applicant respectfully requests that the rejection be withdrawn.

5. Claims 10 and 12 stand rejected under 35 USC § 103(a) as being unpatentable over RAA5 and further in view of Schohet ("HDLC framing of Ethernet packet"); Claims 11 and 13 stand rejected under 35 USC § 103(a) as being unpatentable over RAA6 and further in view of Schohet ("HDLC framing of Ethernet packet").

These claims depend from claim 6 and hence, are allowable by virtue of their dependency upon an allowable base claim.

For at least this reason, applicant respectfully requests that the rejections be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

By:   
Steve S. Cha  
Attorney for Applicant  
Registration No. 44,069

Date: November 27, 2007

Steve S. Cha, Reg. No. 44,069  
Cha & Reiter, LLC  
210 Route 4 East, #103  
Paramus, NJ 07652  
Telephone: (201) 226-9245  
Facsimile: (201) 226-6246

SC/cg